Preserve

App. F. IX-4

Previous References

1928.
(Inam)

File No. 55-28

Serial Nos. 1-57

Later References

Inam 277-33 1 3

General and Revenue Secretariat.

Serial Nos. 7

Part B for May 1929

SUBJECT

Appeal petition of Shanbog Venkataramaiah of Bommavara village in confirmation to the of the Hiduvale Hak Pahani No. 103 endowed to the Virakta math in the Devanahalli Taluq

No. 2666 dated 29.5.1929

To the Inam Comr

There are no grounds to interfere with the case. The appeal is rejected

G. R. S. APP F.III—1] 1928.

GENERAL AND REVENUE SECRETARIAT

(Inamkai)

NOTES.

File No. 55-28

FILE HEADING.

Inam lands endowed to the Virakta Math at Bommavara Village in the Devanahalli Taluk.

FROM

Sambag Venkata Subbiah

No. Petition Dated 31.7.28 Received

Diary No.	Enclos.	Spare copies	Serial No
182	1	–	1

BRIEF ABSTRACT OF LETTER

Appeals against the M. C's order directing the confirmation of the aptt on stipulated conditions, of the Hidunali Hak of inam Ro. S. No. 103 endowed to the said Math.

NOTES AND ORDERS.

The petition is duly stamped. The original orders communicating the M. C's order, has been produced. A Off. calling for report from the Revenue, from the M. C. is submitted for appl or orders.

6.8.28

1st Member

3 Aug

2/8

OFFICE OF THE FIRST MEMBER OF COUNCIL
8 AUG. 1928
No. 929

Notes—Fair Sheet.

182

App. F. III—2]

General and Revenue Secretariat. Misc File No. 55 of 1928-29

Serial No. 2 To. Mur Comr 10349 dt 15.8.28 Calls for report on the petn with connected records

3 From, the Mur Comr, Letter no. 329 dt 12-10-1928 Submits the report with records called for in Sl 3.

5 The M's order appealed against, explains the facts of the case.

6 Veerabhadra Devaru matt at Bommanara Village, Devanhalli Taluk is a Mez. instn endowed with inam lands.

7 The aplts case is that by virtue of a Sale Deed of 1869, inam S.no 125 (Re S.no. 103) of Bommanara endowed to the instn, has been in possession of his family since then. The M c has ordered that this land will be confirmed to the aplt if he pays the up-set price for the land and full assessment thereon.

8 He has appealed to Govt against this order, and prays that for reasons stated by him

Note—Contn. Sheet

585
1109

App. F. III—2]

General and Revenue Secretariat. | File No. 55 of 192 6.

Serial No.

Viz long possession, and improvements effected, the land may be confirmed to him in full assessment without demanding any up-set price for the land—

9 It is not known whether the question of long possession had come up for consideration at the time of the Inam settlement, and if so, how it was disposed of.

10 A Pth. calling for a copy of the Inam register, is submitted.

1-11-1928.

11 Done

7/11/28

2 From, the Inam Supt. Letter no 889 dt 10 11 1928.
Calls for the Inam extract

3 From, the same officer, Letter no 109 dt 16 1 1929
Submits a copy of the Inam register

12 It is seen from the Inam extract that the land was confirmed as Devadaya for the support of Veerabhadra Swamy

NOTE—Contn Sheet

stated to be the dwelling house of the 2 jangams in col. 15 viz Nandarasiah and Channa Basava who were enjoying the inam in equal shares.

13 The apltts. claim is that by the Sale Deed of 1869, inam S. no. 125 (Re. S. no. 103) of Bommanaru endowed to Veerabhadra Devaru math has been in possession of his family. The Inam Settlement took place in 1874, and the Inam Register is silent as to the apltts. right to the land. No explanation is forthcoming as to why he did not advance his right then, and it is a point for consideration as to why the question should be re-opened at this distance of time. The alienation was not made prior to 31-1-1853 nor within 50 years computing the period of possession up to 11th Dec. 1867 under ch. Comrs. notification of 1879, the inam has to be resumed as ordered by the D.C., In his appeal petition to Govt., he admits that he was paying Jodi in the land

D

J

Note – Contn. sheet

General and Revenue Secretariat.

Inam File No. 55 of 192 6

Serial No.

Fill 1922-23, and that since then full assessment is being paid as per orders of the Talukdar. He cannot claim the land under the proviso of sec. 10 viz 12 years' adverse possession, of the new Inam. Regn.

14 As the inam in question is not in existence, the inamdar will revert as such to Govt. in the Inam. Deptt. for re-grant to others deserving working within as per orders now under issue, enunciating the present policy of Govt.

There do not appear to be satisfactory grounds even to uph. hold the M.'s order appealed against.

If ordered, the appeal may be posted for hearing.

Submitted

AV

15.2.28

NOTE—Contn Sheet

1107

App. F. III—2]

General and Revenue Secretariat.

Mg File No. 53 of 192[illegible].

Serial No.

[illegible]

[illegible]

[illegible]

4 [illegible]

KW

16/2

16 A ~~printed~~ copy of Mysore Chief Court Reports as refd to in the appl petition, is submtd.

AN (CJ) 22/2/29.

KW 27/2

18 The party cannot be said to be in adverse possession of the land as he himself admits that he was paying jodi till 1922-23. & 12 years have not elapsed thereafter. He says he has been paying jodi assessment under the orders of the Board as from 1922-23. The object of the grant having failed, the land has to be resumed. The Advocate Genl for the Comm & has admitted that the petitioner may be given the option of accepting legal title on payment of arrears of jodi & full assessment.

19 This Court be asked perhaps the Com may perhaps be heard

17 Where just up the Mysore Chief Court referred to in the appeal petition

29/1

16/2

[illegible]

Copy of the order [illegible] for [illegible]

[illegible]

5146

NOTE—Contn Sheet

WD 01714—GPB—30,000—18-4-28 (Gt. Ber)

23/2

General and Revenue Secretariat.

Muz. File No. 55 of 1928.

Serial No.

21 Offl. notices submitted
AV 14.3.29.
22 WD 11/3

Posted to 6.4.29

23 Appellant Venkatasubbiah present. He asked for the case being taken up on some other day so that he might engage a lawyer to represent his case. This request is granted.
6.4.29

6918/6/5

The case was heard on 6th April 1929. Appellant Venkatasubbaiya was present.

---

24 No value can be attached to the claim based on the sale of the land said to have taken place in 1869 as at the subsequent Inam Settlement held in 1874 the land was registered as Devadaya. There is, however, the very important fact that the land has been in the possession of the family of the appellant from the year of the Inam Settlement 1874, if not ~~xxxxxx~~ from an earlier date. The Muzrai institution itself is reported to be no longer in existence. There is, however, no definite information as to when the institution

NOTE—Contn. Sheet.

Serial No.

institution ceased to exist. That for a number of years the Appellant and his forefathers have been enjoying the land without giving any part of its ~~benefit~~ income to the institution, is clear from the records. In view of these circumstances, it is only fair to give him the benefit of adverse possession under the second proviso to Section 10 of Regulation VII of 1927. This proviso does not allude to the levy of any upset price as ordered in this case by the Muzrai Commissioner. The Section, however, does not prohibit ~~the~~ such levy. The Muzrai Commissioner has taken the case to be one for resumption, but in view of its circumstances ~~xxxxxxxx~~ has ordered the confirmation of the land to the Appellant if he is prepared to pay a reasonable upset price and the assessment due on it. This is not a case for resumption for reasons stated above. The operative portion of the Muzrai Commissioner's order however, is correct and there is no reason to interfere with it

O R D E R

25 There are no grounds to interfere with the orders passed by the Muzrai Commissioner. The appeal is rejected

Mug
6.5.29

26 Opp. under Submission.
Ar
13.5.29.

27 Then publish an endorsement & the publication
14/5
WD 021—GPB—30,000—21-8-28
1571

NOTE—Contn. sheet

General and Revenue Secretariat.

Mem File No. 55 of 1928.

Serial No.

28

[illegible]

AV 16-4-29.

29 [illegible]

30 (This ~~[illegible]~~ [illegible] have been marked here)

31 [illegible]

7374/1875

6 [illegible]

7 [illegible]

B

NOTE—Contn Sheet

TWO RUPEES

OFFICE OF THE FIRST PRIVY COUNCIL
31 JULY 1928
No. M 44

Before The Government Of His Highness The

Maharaja of Mysore, B'lore.

Muzrai Appeal No. of 28-29.

Shanbhogue Venkatasubbaiya son of Honnappa, Bommavara, Devanhalli Tlq. — Appellant.

-vs-

Government. ... ... Respondent.

This is an appeal against the order of the Muzrai Commissioner in Mysore in - Muzrai Appeal No.22 of 1927-28 dated the - 18-4-1928/1-5-1928 directing that Survey No. 103 of the village will be confirmed to the appellant if he pays the upset value for the land and full assessment thereon.

2. The appellant and his ancestors have been in an uninterrupted long possession and enjoyment of Inam Survey No.103 - since 1869. When he purchased the land by a registered sale deed from Channabasiah & others, the hukdars of the said S.No.103 - which was originally belonging to the Veerabhadra Devara Mutt of the place.

3. Long before the land was sold - away to my ancestors, the land was in our possession alone by way of mortgage since -

the year Rakshasa prior to 1869.

4. Ever since the land has been in our possession we were paying the jodi on the land till 1922-23 and since then full assessment is being paid as per orders of the Taluq Amildar.

5. I have spent alot of money for - the improvement of the land.

6. The lower Court has not confirmed the long possession of the land.

7. The order of the lower Court is unjust and against law and equity.

8. The original sale deed is enclosed in the vernacular file of papers.

9. It may not be out of place if I - mention the decision of the Chief Court published on pages 14 to 33 of the 52nd Volume in January 1927 (Mysore Chief Court Report)

10. There is no reason to pay any upset price to my land as ordered by the lower Court.

11. Attention is invited to proviso of Section 10 of the Religious and Charitable - Institutions Regulation VII of 1927.

12. In the circumstances the appellant prays the order of the lower Court be set - aside and the land confirmed to the appellant on full assessment.

Bangalore,
31-7-1928.

Appellant

మిత్రసారు శ్రీవిజయ మున్సిపాల్టీ కార్యాలయం.

Appl 22/2-28

గోదావరిఖని తేది 1-5-28

విషయం: గోదావరిఖని పట్టణ పరిధిలో చేపట్టవలసిన పారిశుధ్య పనుల గురించి

గౌరవనీయులైన మీకు నమస్కారములు.

[illegible]

ధన్యులు 224/2-28

[illegible]

మెమో నెం. ఎఫ్.సి.సి.సి.సి నెం. 22-27-28

తేదీ 2-2-28

విషయం: గోదావరిఖని పట్టణ పరిధిలో పారిశుధ్య పనుల నిర్వహణ గురించి.

[illegible] 103 వ నెంబరు ఎఫ్.సి.సి.సి.సి [illegible] గోదావరిఖని పట్టణ పరిధిలో పారిశుధ్య పనులు [illegible] కోరుచున్నాము.

M. Venkanna

For Mazari Com

A. P. F. VI. G1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Mar

File No. 55-28

Serial No. 2

No. 349. Inc 2

General and Revenue Secretariat

( )

the 192

To The Inc.

Date of issue 15/8/28

Signed by J. R. Sowmeswara Iyer

Sir,

I am directed to forward herewith for a report with records, petition no. 182 dt 31.7.28 from Sanbag Venkatasubbiah of Bommenahalli village in the Devanahalli Taluk, appealing against your order directing the confirmation on certain conditions of the appt. of the Hidayatullah Hak Inam Rec. no. 103

List of enclosures.....

Copied by .....

Examined by .....

Over

SECRETARY
12 OCT. 1928
No.

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore [illegible] 192

No. 329 Ex 2 Files
289.

FROM

P. G. D'Souza, Esq., B.A., B.L.,
The Muzrai Commissioner in Mysore.

REV. SECRETARIAT
15 OCT 1928
MUZRAI

585

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Bangalore Cantonment.

SIR,

Referring to your letter No. [illegible]/Mu.55-28 dated 17th August 1928 forwarding for report [illegible] Hanumanthappa Subbiah of Pemma [illegible], Devanahalli Taluk, [illegible] order directing the [illegible] conditions of the Vidavali Hak of Inam Re Survey No. [illegible] Virakta Mutt in the village, [illegible] the entire file of connected records received [illegible] Bangalore [illegible] Commissioner's letter No. [illegible] dated 8th September [illegible].

This office file No. [illegible] of [illegible] containing the order [illegible] the facts of the case are also enclosed for your reference.

I [illegible] the enclosures [illegible] ~~required~~. retransmitted

I have [illegible]

Sir,

Your most obedient servant,

Muzrai Commissioner.

A. P. F. VI. G1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

Date of issue 10/11/28

Signed by S. Somesekhara Ayr

List of enclosures.....

Copied by .....

Examined by .....

Section

File No. 55-28

Serial No. 74.

No. 889

To Mr. Supdt.,
Rev. Survey,

Sir,

I am directed to request that you will be so good as to send up for reference, an extract from the detailed inam register pertaining to the grant of inam lands in Bommalara village, Devanahalli Taluk, for the support of Veerabhadra Devaru math in the village.

I have etc.,

Over

D(A) for Secy. to Govt.

WD 0325—GPB—30,000—26-5-27

Supdt

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Muz 55-28-5

No. 109 - Inc 1

OFFICE OF THE SUPERINTENDENT,
MYSORE REVENUE SURVEY,

Dated Bangalore,... 15th January *1929*.
16

FROM

D. SRINIVASA IYENGAR, ESQ., B.A., 23

Superintendent, Revenue Survey and Settlements in Mysore D/109

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,

Financial Secretary to the Government of
H. H. the Maharaja of Mysore, Bangalore.

SIR,

As desired in your letter No.889/Muz.55-28-2 dated 10-11-1928, I have the honor to forward herewith a copy of the Inam Register pertaining to the grant of Inam lands in Bommavara village, Devanhalli Taluk for the support of the Veerabhadra-devar Matt in the village.

I have the honor to be,
Sir,
Your most obedient servant,

Assistant Commissioner,
For Superintendent,
absent on leave.

N.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N B.—Should routine notes be written on small slips the notes must be copied or slips pasted on this form.

Register Sheet No. 46

Taluk. - - Devanahalli.

Sammat. - - Devanahalli

Village - - Bommavara

Register of Inams in the village of [illegible] in the

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No and name of field or fields comprised in the grant Dry wet or garden	Extent Local measure Even where the local measure is in acres guntas, and annas, it is to be entered in this column	Measure in acres and their fractions in decimals
1	2	3	4	5
9	[illegible]	[illegible]	[illegible]	

Sammat of Veeranahalli in the Taluk of Veeranahalli

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam	
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7		If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc, whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc or liable to quit-rent, *i. e*, jodi, etc, amount of latter to be entered
6	7	8	9
3-3-3 1-2-8. 4-5-11		For the Support of the Veeranahalli Vadera Mutt of the Village in good order	Jodi 1-7-3

DOCUMENT IN SUPPORT OF THE INAM

By whom granted and in what year	Written instruments in support of the claim, original sanad, all miscellaneous documents, and other proofs of long possession In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given
10	11

of Bangalore

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poormah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
	Jaru accounts	
	1801	1832
	Bucka Veera Wadra Vader	As in column 13
	Dry 2 3/4 Good	
	11 Fams	Account No. 2 of 18,1
	wet 1 Good	Same
	7 Scors	1-1-3
	4 Fams	
	5 Fams	
	Joda	

of the [illegible]

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner If the main has been subdivided, the name, etc., of each sharer should be entered in the columns			
Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
[illegible]			

Division

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20
Whole grant (Sd) T ~~block~~ Kitto. ~~offg asst Suprt.~~ ~~Inam Commissioner~~ 27-74 A notice Dated 24th March 1873 was served on the 25th The party has not yet filed the necessary Statement To be attached from the 25th March 1873 (Sd) V N Narasimhangar 6-6-73 Assistant The Statement was filed on the 17th inst The Inam is Valid Area as in Col 4 The Matt in this case is said to be the dwelling house of the Gangams in column 15 To be confirmed so long as the institution is kept in good order, on Jodi of Rs 1-7-0 (Sd) V N Narasimhangar Assistant 19.6.73	1 Valid Devadaya, Tax 2 Confirmed on existing Jodi see 8 (col 5) Rs 1-7-0 (Sd) J Puckle Inam Commissioner 29-12-74 Compared " Copy For Superintendent of Mysore Revenue Survey 12 1 29

(G)

2069

Before the Government of His Highness the Maharaja of Mysore.

---

muz Appeal No. 17 of 1928-9

Appellant. ~~vs.~~ Respondent.

Sanbag Venkatasubbiah.
Bommavara, Devanahalli
Taluq.

Subject.

Appeal against the m.o.j order directing the confirmation to the appellants of the Hidumati hak of inam Re. S. no. 103 endowed to Virakta matt at Bommavara village, Devanahalli Taluq. ~~[illegible]~~ Subject to the payment of the up-set value for the land, and full assessment therein

GPB—1,000—S.S-11

mdcr

this case was heard on
6th April 1929. Sri
Venkatasubbaiya was
present.

Copy member's minutes on page
"Inim" "there are no grounds"
to ..... rejected

2666 Intd file

Memo [signature]

8 28-10-29

Copy to the M.C.
with the memo received
with his letter No. 329 dt
1.10.28

B.O.

[signature]
D/S) [signature]

[signature]
1/6

(G)

Before the Government of His Highness the Maharaja of Mysore.

Muzrai Appeal No. **17** of **1928-29**

A
Sanbog Ve
Bommav

Subject.

Appeal against the Muzrai Commissioner's order directing the confirmation to the appellant of the Hiduvali Hak of Inam Re-Survey No.103 endowed to Virakta Matt at Bommavara village, Devanhalli Taluk, subject to the payment of the up-set value for the land, and full assessment thereon.

O r d e r .

This case was heard on 6th April 1929. Appellant Venkatasubbiah was present.

There are no grounds to interfere with the orders passed by the Muzrai Commissioner. The appeal is rejected.

Memo No. 2[illegible] dated, Bangalore, the 28th May 1929.

Copy of the above is forwarded with compliments to the Muzrai Commissioner in Mysore with the records received with his letter No. 329 dated 1st October 1928.

By order,

Secretary to Government,
Financial Department.

C.R.G.3.

GPB—1,000—8-5-11

Appendix F G—1

SUBJECT.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

Date of issue 29-5-29

Signed by S. K. Somesvara Rao

st of enclosures.....

Copied by

Examined by.....

Section

File No.

Serial No.

No. 667

To

With ref. to his petition No. 182 dt 31.7.28 appealing against the M.C.S. order directing the confirmation to the apltt on stipulated conditions, of the Hidumani Hak of inam Re. S. No. 103 endowed to Viraktamatt at Bommavara village, Denanahalli Taluk, Sambog Venkatasubbiah, of Bommavara is informed that ~~orders have been issued~~

Mr. Appellant

that ~~there are~~ there are no grounds to interfere with the order passed by the M.C. and that his appeal is rejected

B.O.

17/5

D.O. I.C. Scotty